

### **REMARKS**

This is in full and timely response to the Office Action mailed on September 11, 2008. Reexamination in light of the following remarks is respectfully requested.

Claims 101-108 are currently pending in this application, with claim 101 being independent.

*No new matter has been added.*

Reexamination in light of the following remarks is respectfully requested.

#### **Rejection under 35 U.S.C. §103**

Paragraph 3 indicates a rejection of claims 1-5, 7, and 8 under 35 U.S.C. §103 as allegedly being unpatentable over “Integrated systems of white LED visible-light communication power-line communication” (Komine) in view of Japanese Application Publication No. 2001-036592 (Kobayashi).

Paragraph 4 indicates a rejection of claims 1-4 and 6-8 under 35 U.S.C. §103 as allegedly being unpatentable over “Integrated systems of white LED visible-light communication power-line communication” (Komine) in view of International Application Publication No. WO 01/63788 (Mensing).

These rejections are traversed at least for the following reasons.

**Claims 1-8** - While not conceding the propriety of these rejections and in order to advance the prosecution of the present application, claims 1-8 have been canceled.

Withdrawal of these rejections and allowance of the claims is respectfully requested.

**Newly added claims**

**Claims 101-108** - Claims 102-108 are dependent upon claim 101. Claim 101 is drawn to a broadcast system, comprising:

a semiconductor light-emitting source for lighting;

a power line that supplies electric power to the semiconductor light-emitting source;

a data modulator that modulates and multiplexes a plurality of pieces of data, superimposes the resulting plurality of pieces of data on an electric power waveform into a plurality of modulated pieces of data, and transmits the plurality of modulated pieces of data via the power line; and

a selector that selects one or more pieces of data to be transmitted in the form of light out of the plurality of modulated pieces of data on the power line; and

a superimposing means for superimposing a signal of the selected data onto a voltage to be applied to the semiconductor light-emitting source,

wherein the data selected by the selector is transmitted based on changes in light intensity or blinking of the semiconductor light-emitting source.

**Komine** - Pages 3 and 5 of the Office Action appear to conclude that Komine **fails** to disclose:

- multiplexes a plurality of pieces of data;
- plurality of pieces of data on an electric power waveform;

- a plurality of modulated pieces of data.

*Thus, Kominé fails to disclose, teach, or suggest a data modulator that modulates and multiplexes a plurality of pieces of data, superimposes the resulting plurality of pieces of data on an electric power waveform into a plurality of modulated pieces of data, and transmits the plurality of modulated pieces of data via the power line.*

Pages 3 and 5 of the Office Action appear to conclude that Kominé fails to disclose:

- a filter that selectively separates one or more pieces of data out of the plurality of modulated pieces of data on the power line.

*Thus, Kominé fails to disclose, teach, or suggest a filter that selectively separates one or more pieces of data out of the plurality of modulated pieces of data on the power line and controls light intensity or blinking of the LED light source.*

*Moreover, Kominé fails to disclose, teach, or suggest that the filter has a selector for selecting data.*

*Moreover, Kominé fails to disclose, teach, or suggest that the selector selects data to be transmitted based on changes in light intensity or blinking of the LED light source in conformity with instruction data on the power line.*

**Kobayashi** - Paragraph [0022] of the machine translation of Kobayashi arguably provides that the frequency multiplexing circuit for 17 adding output signal S9 of a **PSK modulation** circuit and S10, and performing **frequency multiplexing** and **18 are the D/A converters** which change the output signal S11 of the frequency multiplexing circuit 17 into an analog signal from a digital signal, **19 is the sending signal outputted from D/A converter 18**.

However, Kobayashi *fails* to disclose, teach, or suggest a data modulator that superimposes the sending signal 19 on an electric power waveform.

*Thus, Kobayashi fails to disclose, teach, or suggest a data modulator that modulates and multiplexes a plurality of pieces of data, superimposes the resulting plurality of pieces of data on an electric power waveform into a plurality of modulated pieces of data, and transmits the plurality of modulated pieces of data via the power line.*

Paragraph [0019] of the machine translation of Kobayashi arguably provides a Carrier Detect circuit for 4, 5, 6, and 7 to detect two or more carrier frequencies f10-f13 contained in the output signal S1 of A/D converter 2, A frequency-selective circuit for 8 to choose a carrier frequency from each output signal S3 of the Carrier Detect circuits 4-7, S4, and S5 and S6 based on the computed result of the S/N ratio by the fast Fourier transform processing part 3, 9 is a zero cross detector circuit which detects a zero crossing point (point that voltage crosses 0V level) from commercial frequency power supply voltage, and outputs a zero cross detecting signal.

Regarding claim 3 of the present application, the specification provides that the selector 113 selects one or more out of multiple filters in the band pass filter 112, thereby allowing selection of data to be optically distributed (Specification at page 22, lines 19-20). This selection may be manually made; alternatively, it may be made using another method or by *selectively demodulating a transmitted control signal of a specific frequency and then making a selection of a filter based on that control signal* (Specification at page 22, lines 20-23).

However, Kobayashi *fails* to disclose, teach, or suggest that the frequency-selective circuit 8 as selectively demodulating a transmitted control signal of a specific frequency and then making a selection of a filter based on that control signal.

Instead, paragraph [0019] of the machine translation of Kobayashi arguably provides for a *frequency-selective circuit for 8* to choose a carrier frequency from each output signal S3 of the Carrier Detect circuits 4-7, S4, and S5 and S6 based on the computed result of the S/N ratio by the fast Fourier transform processing part 3.

*Thus, Kobayashi fails to disclose, teach, or suggest a broadcast system wherein the selector selects data to be transmitted based on changes in light intensity or blinking of the LED light source in conformity with instruction data on the power line.*

**Mensing** - Mensing arguably discloses that referring now to FIG. 1, the communications system according to the principles of the invention is arranged in a logical star system wherein the headend device (HPD) communicates over two-way communications channels with the customer premise devices (CPDs) (Mensing at page 4, lines 8-11).

*Nevertheless, Mensing fails to disclose, teach, or suggest a broadcast system wherein the selector selects data to be transmitted based on changes in light intensity or blinking of the LED light source in conformity with instruction data on the power line.*

Allowance of the claims is respectfully requested.

### **Official Notice**

There is no concession as to the veracity of Official Notice, if taken in any Office Action.

An affidavit or document should be provided in support of any Official Notice taken. 37 CFR 1.104(d)(2), MPEP § 2144.03. See also, *Ex parte Natale*, 11 USPQ2d 1222, 1227-1228 (Bd. Pat. App. & Int. 1989)(failure to provide any objective evidence to support the challenged use of Official Notice constitutes clear and reversible error).

**Extensions of time**

Please treat any concurrent or future reply, requiring a petition for an extension of time under 37 C.F.R. §1.136, as incorporating a petition for extension of time for the appropriate length of time.

**Fees**

The Commissioner is hereby authorized to charge any deficiency in fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm).

The Commissioner is hereby authorized to charge all required fees, fees under 37 C.F.R. §1.17, or all required extension of time fees.

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

**Conclusion**

This response is believed to be a complete response to the Office Action.

Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

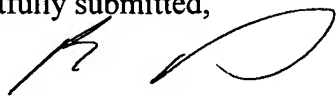
For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance.

Accordingly, favorable reexamination and reconsideration of the application in light of the remarks is courteously solicited.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753.

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Respectfully submitted,

By 

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